

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Dental Implants & Biomaterials S.L.,

Civ. No. 12-1158 (PAM/AJB)

Plaintiff,

v.

ORDER

Keystone Dental, Inc.,

Defendant.

This matter is before the Court on the Report and Recommendation (“R&R”) of Chief Magistrate Judge Arthur J. Boylan dated October 25, 2013. In the R&R, Chief Magistrate Judge Boylan recommends that the Court enter default against Plaintiff Dental Implants & Biomaterials, S.L. (“DI&B”), in an amount to be determined, and that attorney’s fees be awarded Defendant Keystone Dental, Inc., as sanctions for DI&B’s conduct in discovery.

According to statute, the Court must conduct a de novo review of any portion of the Magistrate Judge’s opinion to which specific objections are made. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3); D. Minn. L.R. 72.2(b). DI&B failed to file objections to the R&R in the time period permitted, however. Thus, the Court **ADOPTS** the R&R (Docket No. 101) without further discussion.

Accordingly, **IT IS HEREBY ORDERED that:**

1. Defendant Keystone’s Motion for Entry of Default and for Sanctions (Docket No. 94) is **GRANTED**;
2. Plaintiff DI&B’s claims in this matter are **DISMISSED with prejudice**;

3. Judgment is entered in favor of Keystone and against DI&B on Counts I and II of Keystone's counterclaims;
4. Counts III and IV of Keystone's counterclaims are **DISMISSED without prejudice**;
5. DI&B shall pay Keystone's reasonable expenses, including attorney's fees, in connection with the motions detailed in the R&R; and
6. Keystone shall contact the Court for a briefing schedule to determine the amounts due it pursuant to this Order.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 14, 2013

s/ Paul A. Magnuson

Paul A. Magnuson
United States District Court Judge